

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK ANTHONY NEWTON,

No. 38295

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

DEC 05 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court denying appellant's motion to dismiss counsel. Our review of this appeal revealed a potential jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.¹ No statute or court rule appears to provide for an appeal from an order denying a motion to dismiss counsel. Accordingly, on November 9, 2001, this court ordered counsel for appellant to show cause why this appeal should not be dismissed. On November 19, 2001, counsel filed a response in which counsel concedes that this court lacks jurisdiction. Accordingly, we

ORDER this appeal DISMISSED.

Young J.

Young

Agosti J.

Agosti

Leavitt J.

Leavitt

¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

cc: Hon. Donald M. Mosley, District Judge
Attorney General/Carson City
Clark County District Attorney
Clark County Public Defender
Mark Anthony Newton
Clark County Clerk